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MAILED

Paper No. 19

JAN 20 2005

Director's Office
Group 3700

In re Application of
BUHLER, BRUCE A.
Appl. No.: 09/236,373
Filed: January 25, 1999
For: MULTIPLE FLAME TORCH APPARATUS

: DECISION DISMISSING
: PETITION
: 37 CFR 1.181

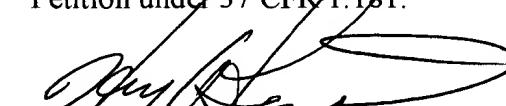
This is a decision on the request filed May 7, 2004 to accept a duplicate paper. In view of petitioner's statements, the petition is being treated as a petition under 37 CFR 1.181. No fee is required for this petition.

The petition is dismissed.

A review of the record indicates that a rejection was mailed on September 23, 2003. Petitioner alleges that an amendment (and remarks) was submitted to the office on December 16, 2003. In support of this assertion, petitioner has submitted a USPTO-stamped postcard receipt dated December 16, 2003 with a "copy" of the 29 pages of amendment and remarks.

The stamped postcard receipt does not serve as *prima facie* evidence of receipt of any item which is not adequately itemized on the postcard (see MPEP 503). "Response" does not clearly identify what was submitted. Furthermore, the "copy" of the signed amendment and remarks does not appear to be a true copy because it is signed in blue ink. Has petitioner made this "copy" on a color photocopy machine? Or has petitioner made a copy of an unsigned amendment and added the signature at a later date?

Petitioners may file a renewed petition, without fee, addressing the points raised above. Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision, 37 CFR 1.181(f). No extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.181."


Henry A. Bennett, Acting Director
Technology Center 3700